



# Howard Planning and Zoning Minutes



## MINUTES HOWARD COUNTY PLANNING & ZONING June 18, 2014

A meeting of the Howard County Planning & Zoning Commission was convened in Open and Public session on the 18<sup>th</sup> of June, 2014 in the Assembly Room of the Howard County Courthouse, St. Paul, Nebraska.

Chairman Terry Spilinek called the meeting to order at 8:03 p.m. The Open Meeting Act is posted in the rear of the room. Administrator Klinginsmith read the Notice of Meeting. A proof of publication is filed at the Howard County Clerk's office.

Roll call showed 6 members present: Daryl Anderson, Ken Kozisek, Terry Spilinek, Ron Kulwicki, Jack Reimers and Jeff Christensen. Those absent were: Randy Kauk, Dave Sack, and Lauren Scarborough. Also present were Cherri Klinginsmith, Planning & Zoning Administrator, Molly Tebo, Zoning Secretary, and members of the public including: Randy Faaborg, Doris Wells, Bill Loseke, Rose Dixon, Pete Berthelsen, Laura Berthelsen, Gerald Craig, Harold Luebke, Jared Rasmussen, Sarah Rasmussen, Lee Klein, Steve Klein, Lon Leshar, Qian Wang, Rod Wetovick, Jeremy Wetovick, and Janet Gercke.

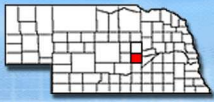
The Agenda and Minutes were e-mailed to the Board Members prior to the meeting. A motion was made by Ron Kulwicki and seconded by Jeff Christensen to approve the minutes of the May 21, 2014 meeting. The motion carried on unanimous voice vote.

Cherri Klinginsmith informed the Board that Loup Central Landfill contacted the office and informed her that Olson and Associates contacted the State regarding the addition of a Leachate Cleanout that was not included on the original Conditional Use Permit as a phase. The State will hold a public notice regarding the change. Once that is finalized, Loup Central Landfill will contact our office.

At 8:05 p.m., the Public Hearing for a single lot subdivision by Harold Luebke consisting of 3.01 +/- acres, located in the SW ¼ of the SW ¼ of Section 11-13-9 was opened. The subdivision will be named the Weaver Subdivision. Cherri Klinginsmith read the Notice of Public Hearing. Harold Luebke stated that his son and daughter-in-law want to build a home on said acres. Terry Spilinek asked Cherri if all the requirements have been met and Cherri stated they have. No one from the public spoke in favor or opposition of the request; however Rose Dixon stated she felt there are too many subdivisions in the rural area. Ken Kozisek made a motion to approve the single lot subdivision and Jack Reimers seconded it. The motion carried on unanimous voice vote. A Finding of Fact was completed (copy attached).

At 8:15 p.m., the Public Hearing for a Conditional Use Permit Application by Steven Klein and Lee Klein for the application of Soilbuilder II located in the W ½ of Section 32-16-10 and SE ¼ of Section 31-16-010 was opened. Cherri Klinginsmith read the Notice of Public Hearing. Steve Klein stated they want to add Soilbuilder II to the land to build up the fertility of the soil.

Qian Wang from Chamness Technology spoke in favor of the request. Mr. Wang stated the material is an organic matter and when it's added to the field it increases the nitrogen in the soil. The product comes from JBS and is a material from the waste (solids) of an animal after rendering that is mixed with water. They call it grit. Rod Wetovick and Jeremy Wetovick are producers in Nance County and have used the product several times. Rod stated it is a tremendous product for the soil.



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Laura Berthelsen spoke in opposition of the request. She stated it's difficult, if not impossible, to incorporate the product into the soil and may contain animal bi-products. She also stated that each load will be 20 tons and they estimate 160 loads delivered to the field over a 40 day period which will have an effect on county roads. She is concerned with the odor and does not want it reserved or stored on the property for any length of time. She is also concerned about run-off and water contamination. She asked that the entire application be denied. Pete Berthelsen, Cindy Rasmussen, Jared Rasmussen, Sarah Rasmussen, Janet Gercke, Gerald Craig, and Bill Loseke also agreed with her reasons to deny the application. Cindy Rasmussen asked if the product is applied to the ground, who will monitor it to make sure it's done correctly. Terry Spilinek stated if it is granted there will be conditions on how it will be applied and the Planning and Zoning Office will monitor the project.

Jack Reimers asked Steve Klein if the creek on the property runs all the time and Steve said yes. However, he stated  $\frac{1}{4}$  of the creek is dry and they have a buffer in place so the water would not be affected if the product was applied. Steve stated he didn't want to cause any problems with his neighbors.

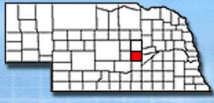
Jeff Christensen stated the board needs more clarification and specifications on where exactly on the property the Soilbuilder II is going to be applied. He stated they would like to see maps that show the elevation and slopes. The board will then set up guidelines and conditions regarding the application. A motion was made by Ron Kulwicki to table this item until an updated application is received from Steve Klein and Lee Klein. Jack Reimers seconded the motion. The motion carried on unanimous voice vote.

At 9:40 p.m., the Public Hearing for a Conditional Use Permit (CUP) application by Midland Telecom to update the existing communications tower in the SE  $\frac{1}{4}$  of Section 17-15-11, located on 1644 Page Road, Elba, NE was opened. Cherri Klinginsmith read the Notice of Hearing. Randy Faaborg from Midland Telecom was present. Cherri stated she could not find any records from the Planning and Zoning office. She did find minutes from a Commissioners Meeting but could not find an approval. A building permit dated 4-14-92 was found but there was no CUP attached to it. Cherri looked through the regulations at that time and there was nothing documented. Since there were no regulations in 1991 and no written approval can be found, the tower will be grandfathered in. Jeff Christensen made a motion to approve the Conditional Use Permit and Ron Kulwicki seconded the motion. The motion carried on unanimous voice vote. A Finding of Fact was completed (copy attached).

A discussion was held regarding cell towers in Howard County. Cherri wrote up new regulations for radio, television, and wireless communications to go into the Supplementary part of the Planning and Zoning regulations. There will be a Public Hearing on this at next month's meeting.

Cherri stated the Commissioners have approved the update for the Comprehensive Plan. She received the contract from Hanna-Keelan. All six Villages want to be included in the Plan. Cherri will be the Administrator for both the county and Villages which include Boelus, Cotesfield, Farwell, Elba, Cushing, and Dannebrog. Representatives for each Village will be Jack Reimers (Boelus), Terry Spilinek (Elba and Cotesfield), Ron Kulwicki (Cushing), Jeff Christensen (Dannebrog) and Randy Kauk (Farwell). Cherri would like a member from each of the Villages to be included in the monthly meetings while the Plan is being updated.

The last item for discussion was regarding a review of the Livestock Friendly County application. The Commissioners asked Cherri at their last meeting how the Board felt about the program. She told them the concerns about future possible implications/regulations that may come from the Department of Agriculture if Howard County applied for the program. Cherri will ask the Commissioners if they want her to send the application in.



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At 10:02 p.m., a motion was made by Ken Kozisek and seconded by Jeff Christensen to adjourn. The motion carried by unanimous voice vote. The next meeting will be scheduled for July 16, 2014.

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Molly Tebo, Secretary